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JOSE RUIZ
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EO 12812-2

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,)	No. CR 11-00899-DLJ
13)	
14 Plaintiff,)	STIPULATION TO CONTINUE
15)	SENTENCING HEARING; []
16 vs.)	ORDER
17)	
18 JOSE RUIZ,)	
19)	
20 Defendant.)	

21 Plaintiff United States of America, by and through Special Assistant United States
22 Attorney Casey O'Neill, and Defendant JOSE RUIZ ("Mr. Ruiz"), by and through his attorney of
23 record, Assistant Federal Public Defender Robert Carlin, hereby stipulate that the sentencing
24 hearing in this case should be continued to July 18, 2013, at 10:00 a.m.

25 1. On December 7, 2011, Mr. Ruiz was charged in a single count indictment with a
26 violation of 8 U.S.C. § 1326 (a) and (b).

27 2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the
28 offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty
29 before this Honorable Court. The sentencing hearing was scheduled for June 27, 2013.

STIPULATION TO CONTINUE SENTENCING
HEARING; [] ORDER
No. CR 11-00899-DLJ

3. Mr. Ruiz's sentencing hearing was scheduled for June 27, 2013, though he requested a continuance for personal reasons, which the government did not oppose and the Court granted. Counsels have conferred and July 18, 2013 is a mutually agreeable date.

4. Accordingly, the parties respectfully request that the sentencing hearing be continued to July 18, 2013, at 10:00 a.m.

IT IS SO STIPULATED.

Respectfully submitted,

STEVEN G. KALAR
Federal Public Defender

/s/

Dated: July 2, 2013

ROBERT M. CARLIN
Assistant Federal Public Defender

UNITED STATES ATTORNEY

/s/

Dated: July 2, 2013

CASEY O'NEILL
Special Assistant United States Attorney

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,)	
)	No. CR 11-00899-DLJ
12 Plaintiff,)	
)	[] ORDER ON
13 vs.)	STIPULATION TO CONTINUE
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18 violation of 8 U.S.C. § 1326 (a) and (b).

19 2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the
20 offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty
21 before this Court. The sentencing hearing was scheduled for June 27, 2013.

22 3. Counsel visited Mr. Ruiz on June 26, 2013, planning to discuss the sentencing hearing
23 that was scheduled for the next day. Mr. Ruiz related that he had recently learnt that two of his
24 uncles had been murdered in El Salvador within the preceding two weeks. Utterly disconsolate
25 and barely able to speak, Mr. Ruiz said that he could not face a sentencing hearing and asked
26 whether it could be continued to allow him time to grieve.

STIPULATION TO CONTINUE SENTENCING
HEARING; [] ORDER
No. CR 11-00899-DLJ

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4. For the above stated reasons, the sentencing hearing shall be continued to July 18,
2013, at 10:00 a.m.

IT IS SO ORDERED.

Dated: DEC 11 2013



HON. D. LOWELL JENSEN
United States District Judge